



Tr.CMP.No.994 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Tr.CMP.No.994 of 2022

and

CMP.No.17004 of 2022

P.Gowsalya

... Petitioner

Vs.

P.Shanmugam

... Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the FCOP.No.318 of 2017 on the file of the learned Family Court, Erode and transfer the same to the learned Family Court, Karur.

For Petitioner : Mr.S.Bharanidharan
for Mr.B.M.Subash

For Respondent : No appearance



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ORDER

This transfer petition is filed by the petitioner/wife seeking transfer of petition for divorce filed by the respondent/husband in FCOP.No.318 of 2017 from the file of the learned Family Court, Erode, to the file of the learned Family Court, Karur.

2. The respondent is served with notice and his name is printed in the cause-list, but there is no representation for the respondent.

3. According to the petitioner/wife, she is residing at Karur, within the territorial limits of Family Court, Karur and she is travelling from Karur to Erode for each and every hearing. Therefore, it is stated that it would not be convenient for the petitioner to undertake travel to Erode to attend the hearing before the Family Court, Erode.

4. It is settled law that, in a case involving matrimonial disputes, the convenience of the wife should be given preference. In the case on hand, the petitioner is residing at Moolapettai, Aravakurichi, within the territorial limits of Family Court, Karur and she also expressed her difficulty in



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travelling from Karur to Erode, which is 102 Kilo Meters from her native place. The facts and circumstances and the balance of convenience requires the transfer of divorce petition in FCOP.No.318 of 2017 filed by the respondent/husband to the learned Family Court, Karur.

5. Accordingly, the transfer petition is allowed by withdrawing FCOP.No.318 of 2017 from the file of the learned Family Court, Erode and transferring the same to the file of the learned Family Court, Karur. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
dna

To

- 1.The Family Court, Erode
- 2.The Family Court, Karur.



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S.SOUNTHAR, J.

dna

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